

S/N NEW FILING

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KNUDSON ET AL.	Examiner:	UNKNOWN
Serial No.:	NEW FILING	Group Art Unit:	UNKNOWN
Filed:	HEREWITH	Docket No.:	13033.1USC8
Title:	STIFF SNORING IMPLANT		

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**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV347850096US

Date of Deposit: July 29, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

By: \_\_\_\_\_  
Name

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2) and § 1.98(d), copies have been provided only for those items listed on the enclosed Form 1449 that have not previously been cited by or submitted to the U.S. Patent and Trademark Office in parent applications, U.S. Serial No. 09/872,545 filed on June 1, 2001, and U.S. Serial No. 09/398,991 filed September 17, 1999, now U.S. Patent No. 6,250,307.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

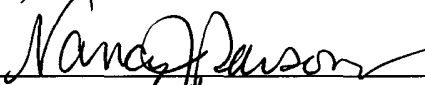
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 7/29/03

  
Nancy J. Parsons  
Reg. No. 40,364  
NJP:PSTdb



<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13033.1USC8	Application Number: NEW FILING
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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	3,998,209	12/21/1976	Macvaugh				
	4,830,008	05/16/1989	Meer				
	4,978,323	12/18/1990	Freedman				
	5,046,512	09/10/1991	Murchie				
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	5,133,354	07/28/1992	Kallok				
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FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	38 30 481 A1	03/22/1990	DE				X

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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	200 15 980 U1	03/29/2001	DE				X
	0 706 808 A1	4/17/1996	EP				
	WO 00/59398	10/12/2000	PCT				
	1553140	03/30/1990	SU			Abstract	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Blumen, M. et al., "Radiofrequency Ablation for the Treatment of Mild to Moderate Obstructive Sleep Apnea," <i>The Laryngoscope</i> , Vol. 112, pp. 2086-2092 (November 2002).
	Boot, H. et al., "Long-Term Results of Uvulopalatopharyngoplasty for Obstructive Sleep Apnea Syndrome", <i>The Laryngoscope</i> , pp. 469-475 (March 2000).
	Brochure, "Haven't you suffered from Snoring long enough", <i>Somnoplasty<sup>SM</sup></i> , 2 pgs.
	Brochure, "Our Diagnostic Procedures are a Snap@!", <i>Snap Laboratories</i> , 4 pgs.
	Brochure, "Snore-Free Nights - Guaranteed!", <i>Your Health News</i> , 2 pgs.
	Brochure, "Snoreless <sup>TM</sup> ", <i>Nutrition for Life International</i> , 2 pgs. (December 1999).
	C. Lorenz, "If he Snores - what can you do about it?", <i>Today's Woman</i> , July 1948, p.112
	Cole, P. et al., "Snoring: A Review and a Reassessment", <i>The Journal of Otolaryngology</i> , Vol. 24, No. 5, pp. 303-306 (1995)
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	Du, G. et al., "Geometric Modeling of 3-D Braided Preforms for Composites", Drexel University, Fibrous Material Research Lab, Philadelphia, PA, 25 pages (Date Unknown)
	Ellis, P. D. M. et al., "Surgical relief of snoring due to palatal flutter: a preliminary report", <i>Annals of the Royal College of Surgeons of England</i> , Vol. 75, No. 4, pp. 286-290 (1993).
	Fischer, Y. et al., "Die Radiofrequenzablation des weichen Gaumens (Somnoplastik)", <i>Redaktion</i> , pp. 33-40 (2000).
	Harries, P.G. et al., "Review Article: The surgical treatment of snoring", <i>The Journal of Laryngology and Otolaryngology</i> , Vol. 110, pp. 1105-1106 (December 1996)
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	Huang, L., "Flutter of Cantilevered Plates in Axial Flow", <i>Journal of Fluids and Structures</i> , Vol. 9, pp. 127-147 (1995).
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	Kasey, K. et al., "Radiofrequency Volumetric Reduction of the Palate: An Extended Follow-Up Study", <i>Otolaryngology-Head and Neck Surgery</i> , Vol. 122, No. 3, pp. 410-414 (March 2000).
	Ko, F., "Braiding", <i>Engineered Materials Handbook - Composites, Vol. 1</i> , pp. 519-528 (Date Unknown)

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Date Mailed: July 29, 2003

Sheet 3 of 3

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		LaFrentz et al., "Palatal Stiffening Techniques for Snoring in a Novel Canine Model", Abstracts of the Twenty-Second Annual MidWinter Meeting of the Association for Research in Otolaryngology, Abstract No. 499, Vol. 22, pp. 125-126 (February 13-18, 1999).
		Schwartz, R.S. et al., "Effects of electrical stimulation to the soft palate on snoring and obstructive sleep apnea", <i>J. Prosthet. Dent.</i> , Vol. 76, No. 3, pp. 273-281 (1996)
		Wiltfang, J. et al., "First results on daytime submandibular electrostimulation of suprahyoidal muscles to prevent night-time hypopharyngeal collapse in obstructive sleep apnea syndrome", <i>Int. J. Oral Maxillofac. Surg.</i> , Vol. 28, pp. 21-25 (1999)



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